

UNITED STATES BANKRUPTCY COURT District of New Jersey
Caption in Compliance with D.N.J. LBR 9004-1(b)  Albert Russo Cn 4853 Trenton, NJ 08650 (609) 587-6888
In re:   Edith F. Tobia   Debtor(s)



Order Filed on July 9, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 18-13338 / MBK

Hearing Date: 06/26/2018

Judge: Michael B. Kaplan

Chapter: 13

### ORDER CONFIRMING CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

**DATED: July 9, 2018**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

The plan of the debtor having been proposed to creditors, and a hearing having been held on the confirmation of such plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

**ORDERED** that the plan of the above named debtor, dated 02/21/2018, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

**ORDERED** that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 60 months.

**ORDERED** that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$600.00 PAID TO DATE

\$178.00 for 56 months beginning 7/1/2018

**ORDERED** that the case is confirmed with a calculated plan funding of \$10,568.00. General unsecured creditors are scheduled to receive a pro-rata dividend of funds available.

**ORDERED** that the Standing Trustee shall be authorized to submit, ex-parte, an Amended Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

**ORDERED** that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

**ORDERED** that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

**ORDERED** that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

**ORDERED** that the Standing Trustee is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

**ORDERED** that section(s) 4(d) and 7(b) is stricken from the Chapter 13 Plan.

**ORDERED** that the debtor(s) must obtain a loan modification by 8/31/2018 or as extended by Loss Mitigation Order.

- Creditor Santander Bank, N.A., PACER claim #1-1, will be paid through the Chapter 13 Plan until an Amended Proof of Claim is filed.

- Creditor Santander Bank, N.A., PACER Claim #1-1, will be paid \$3,110.00 through the Chapter 13 Plan pending loan modification.

**ORDERED** as follows:

Debtor to file separate motion to move against claim of Open MRI at Wall.

**Certificate of Notice Page 4 of 4**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Edith F. Tobia  
Debtor

Case No. 18-13338-MBK  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Jul 09, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 11, 2018.

db Edith F. Tobia, 230 Princeton Ave, Brick, NJ 08724-4373

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 11, 2018

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 9, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Denise E. Carlon on behalf of Creditor Bayview Loan Servicing, LLC dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Jeanette F. Frankenberg on behalf of Loss Mitigation Santander Bank cmecf@sternlav.com  
Kevin Gordon McDonald on behalf of Creditor Bayview Loan Servicing, LLC  
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com  
Loren L. Speziale on behalf of Creditor Santander Bank, N.A. lspeziale@grossmcginley.com,  
jkacsur@grossmcginley.com;ehutchinson@grossmcginley.com  
Marc C. Capone on behalf of Debtor Edith F. Tobia mcapone@caponeandkeefe.com,  
docs@caponeandkeefe.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7